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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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ALBERT H. PLEUS,   Case No. 2:15-cv-2093-RFB-NJK

8   Plaintiffs

9   v.   **ORDER**

10   ARP FAMILY FARMS, *et. al*,

11   Defendant.

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14   This case is before the Court on a Motion for Default Judgment filed by Plaintiffs Albert

15   Pleus on February 19, 2016. ECF No. 42. Defendants Proverbs 18:10 Farms, Inc. and Romans

16   12:1 Farms, Inc. did not respond to the motion and have not appeared in this action despite being

17   served with a copy of the Summons and Complaint on November 20, 2015. See ECF Nos. 22, 23.

18   Under Local Rule 7-2(d), "[t]he failure of an opposing party to file points and authorities

19   in response to any motion shall constitute a consent to the granting of the motion." Although there

20   is a strong policy underlying the Federal Rules of Civil Procedure that favors deciding cases on

21   their merits, the Court finds that Plaintiffs would be prejudiced in their ability to seek relief absent

22   a default judgment against Oasis.

23   Therefore, **IT IS ORDERED** that Plaintiffs' Motion for Default Judgment (ECF No. 42)

24   is GRANTED. The Clerk of Court is instructed to enter judgment in favor of Plaintiffs and against

25   Defendants Proverbs 18:10 Farms, Inc. and Romans 12:1 Farms, Inc. in the following amount:

26   • For damages in the amount of $500,000 for the collective principal balance on both the

        June and September Notes;

27   • For base interest on both Notes that has been accruing to date in the amount of

28      $123,397.26.

- • For default interest on both Notes that has been accruing incrementally since the date of default in the amount of $61,698.63, which is continuing to accrue in the amount of $164.38.

- • For reasonable attorneys' fees and costs amounting to $17,357.90.

DATED: <u>July 8, 2016</u>.

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RICHARD F. BOULWARE, II
United States District Judge